



**DRAFT**

**City of San Antonio**  
**MINUTES**  
**Planning Commission**  
Development and Business Services  
Center  
1901 South Alamo

**Monday, April 25, 2022**

**12:30 PM**

**1901 South Alamo**

**\*\*Planning Commission Technical Advisory Committee\*\***

The Planning Commission Technical Advisory Committee (PCTAC) is a subcommittee that advises the Planning Commission on matters as requested by the Commission. Members of the PCTAC are appointed by the Planning Commission.

To watch and listen to this meeting, visit [www.sanantonio.gov/DSD/Boards/MeetingVideos](http://www.sanantonio.gov/DSD/Boards/MeetingVideos). To listen to audio only, call 210 206 LIVE (5483).

**Public Comment**

Members of the public may provide comment on any agenda item, consistent with procedural rules governing the Planning Commission Technical Advisory Committee meetings and state law. Public comment may also be provided as follows:

1. Submit written comments by email to [udcamendments@sanantonio.gov](mailto:udcamendments@sanantonio.gov) or drop off written comments at 1901 S Alamo by 8am the day of the meeting. Please include your full name, home or work address and agenda item number. Written comments will be part of the official written record only.
2. Leave a voice message of a maximum of two minutes by dialing 210206(PLNG)7564. Your message will be played during the meeting. Please include your full name, home or work address and agenda item number.

\*Note: Written comments, voicemails, and request to make comments during the live meeting must be received by Monday April 25, 2022 at 8am to give time for translation.

**12:30 Call to Order**

**-Roll Call**

**Present:** George Peck, Samer Dessouky, Robert Sipes, Seth Teel, Allision Cohen, Susan Wright, Ashley Farrimond, Cara Tackett, Bob Liesman, Ryan Plagens, Ken Brown, Robert Hanley, Christopher Fullerton, Robert Tapia, Erik Estrada, Phillip Manna, Jody Sherrill, Deborah Reid, Bianca Maldonado, Michael Moore

**Absent:** Julia Carrillo Haynes, Jesse Vasquez, Michael Garcia, Christopher Fullerton, Alex Ramirez,

**City Staff:** Melissa Ramirez, Logan Sparrow, Monique Mercado, Audrey Zamora, Catherine Hernandez, Lauren Chavez, Riley Boesiger, Valerie Huerta, Kayla Leal, Stephen Stokinger, Michael Uresti, Rachel Holder, Sabrina Santiago

**Public Comment:**

In Person:

Peter Lund, requested a clarification on amendment 16-3.

Voicemails- 21 voicemails received:

Alita Bagley, 129 Crofton, in favor of amendment 16-2.

Andrew Caillouet, no address, in favor of amendment 16-2.

Collen Waguspak, 1603 Tartan Lane, Northside Neighborhoods for Organized Development (NNOD), spoke in favor for amendments 16.2 and 16-3.

Jessie Simpson, 241 King William in favor of amendment 16-2.

John Heard, 146 Cedar Street Unit 101, in favor of amendment 16-2

Jorge De La Garza, T1NC and Jefferson NA, 443 Shavano Dr, in favor of amendment.16-2, 16-3, 16-5, 16-6, 16-8,16-13

Kate Campbell, 1010 S. Flores in favor of amendment 16-2.

Kathleen Trenthards, 105 N. Josephine Tobin Dr, , in favor amendment 16-2.

Kerry McKeon, 326 Mission, in favor amendment 16-2.

Edward Haverlah, 202 Madison, King William NA, in favor of amendment 16-2.

Laura Haas, 410 Adams, in favor of amendment 16-2.

Laurie Sackett,139 Cedar St Unit 2, in favor of amendment 16-2.

Leigh Lester, 613 Mission, in favor of amendment 16-2.

Margaret Leeds, 308 King William, T1NC, spoke in favor for amendment 16-2.

Marita Emmett, 303 Adams, in favor of amendment 16-2.

Michael Conrad, 310 Madison, in favor of amendment 16-2.

Nick Lester, 613 Mission, in favor of amendment 16-2.

Pat Heard, 146 Cedar St Unit 101, in favor of amendment 16-2.

Gretchen Rose, 215 Mission, in favor of amendment 16-2.

Rosemary Kanusky, 603 Mission, in favor of amendment 16-2.

Shawn Campbell, 524 King William, President of King William NA, spoke in favor of amendment 16-2.

Monique Mercado, Principal Planner, Development Services Department, read the following written comments received into the record:

Written Comment:

Amendment 5-8, 1 notice received in neutral.

Amendment 5-7, 1 notice received in favor.

Amendment 16-1, 4 notices received in favor.

Amendment 16-2, 8 notices received in favor, 18 notices received in opposition, and a letter in favor from the STR Association.

Amendment 16-3, 5 notices received in favor and 18 notices received in opposition.

Amendment 16-5, 3 notices received in favor

Amendment 16-6, 4 notices received in favor.

Amendment 16-8, 4 notices received in favor.

Amendment 16-11, 4 notices received in favor.

She stated these public comments were provided to TAC Committee Members.

## Old Business

27. Approval of minutes from April 11, 2022 meeting.

### MOTION

A motion was made by Committee Member Maldonado and seconded by Committee Member Cohen to Approve as presented.

**A verbal vote was taken, and all voted in affirmed.**

### MOTION CARRIED

## New Business

- 1 (Continued from April 11, 2022) Discussion and possible action on UDC amendment item 16-2, affecting section 35-374.01: Short Term Rentals. (Logan Sparrow, Policy Administrator, 210-207-8691, UDCamendments@sanantonio.gov, Development Services Department).

Tony Garcia, applicant, stated the request is to help address density issues with Type 2 STRs in neighborhoods.

### No Public Comment

### MOTION

A motion was made by Committee Member Maldonado and seconded by Committee Member Reid to Approve as Amended.

- (c) **Density Limitations for Short Term Rentals (Type 2) in Residential Areas.** In order to preserve the essential character of residential areas, the following density limitations are established. The permitted number of STR's in any block face, or within any multi-family structure, shall not round up.

Example: 14 dwelling units on a residential block face x 12.5% = 1.75 STR's (1 Short Term Rental is permitted).

- (1) Short term rentals (type 2) shall be limited to no more than one-eighth (12.5 percent) of the total number of single-family, duplex, triplex, or quadraplex units on the block face, as defined in Appendix A of this chapter, in residential zoning districts. At least one (type 2) short term rental shall be permitted per block face, regardless of density. Authorized bed and breakfast establishments shall be considered in the calculation of these density requirements.

On or after January 1, 2023, renewal applications formerly administratively approved by means of rounding will be eligible for renewal without acquiring a special exception from the Board of Adjustment. New applications will be required to obtain a special exception, in accordance with Section 35-399.03, if the density exceeds 12.5% of the units on the block face.

- (2) Short term rentals (type 2) within multi-family (e.g. five (5) or more units) buildings or groups of buildings on the same land, lot or parcel, regardless of zoning district, shall be limited to the density requirements in table 374.01-1. Authorized bed and breakfast establishments shall be considered in the calculation of these density requirements.

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**A verbal vote was taken, and all voted in affirmative.**

### MOTION CARRIED

- 2 (Continued from April 11, 2022) Discussion and possible action on UDC amendment item 16-3, affecting section 35-399.03: Short Term Rentals (Type 2) Establishments. (Logan Sparrow, Policy Administrator, 210-207-8691, UDCamendments@sanantonio.gov, Development Services Department).

Tony Garcia, applicant, withdrew amendment 16-3.

**No Public Comment**

**ITEM WITHDRAWN NO ACTION TAKEN**

- 3 (Continued from April 11, 2022) Discussion and possible action on UDC amendment item 16-8, affecting section 35-403: Notice Provisions. (Logan Sparrow, Policy Administrator, 210-207-8691, UDCamendments@sanantonio.gov, Development Services Department).

Cynthia Spielman, applicant, stated the request is to expand the notices for land uses, zoning changes, and variances to reach more neighbors to participate in the commission meetings.

**No Public Comment**

**MOTION**

A motion was made by Committee Member Tackett and seconded by Committee Member Maldonado to Approve as presented.

Notes:

- (1) Notice shall be sent to each owner, as indicated by the most recently approved municipal tax roll, of real property, within two hundred (200) feet of the property. Notice for zoning cases shall be sent prior to the tenth day before the date of the public hearing at the zoning commission. Notice for demolition applications shall be sent prior to the seventh day before the date of the public hearing at the historic design and review commission. Notice shall not be required for text amendments to the Community, Neighborhood, Perimeter or Sector Plans.
- (2) Notices shall be sent to registered neighborhood associations and registered community organizations, per Sec. 35-408, within two hundred (200) feet of the project.

**A verbal vote was taken, and all voted in affirmative.**

**MOTION CARRIED**

- 4 (Continued from April 11, 2022) Discussion and possible action on UDC amendment item 16-11, affecting section 35-403: Notice Provisions. (Logan Sparrow, Policy Administrator, 210-207-8691, UDCamendments@sanantonio.gov, Development Services Department).

Cynthia Spielman, applicant, withdrew amendment 16-11.

**No Public Comment**

**ITEM WITHDRAWN NO ACTION TAKEN**

- 5 (Continued from April 11, 2022) Discussion and possible action on UDC amendment item 16-6, affecting section 35-409: Citizen Participation Plan. (Logan Sparrow, Policy Administrator, 210-207-8691, UDCamendments@sanantonio.gov, Development Services Department).

Cynthia Spielman, applicant, stated the request is to show proof of a meeting with the registered neighborhood association(s) within 200 feet of the subject property in the application process.

### **No Public Comment**

### **MOTION**

A motion was made by Committee Member Maldonado and seconded by Committee Member Estrada to Approve as Amended.

- (a) **Applicability.** It is the policy of the city to encourage applicants to meet with surrounding neighborhoods prior to filing an application for a permit requiring review and a public hearing. The applicant at his or her option may elect to include citizen participation as a preparatory step in the development process. Inclusion of citizen participation prior to required public hearings will be noted by the governing body when considering the need for a continuance in a given application. It is not the intent of this section to require neighborhood meetings, but rather to encourage meetings prior to the submission of an application for approval and documentation of efforts which have been made to resolve any potential concerns prior to the formal application process.

[For Change of Zoning and Future Land Use Plan Amendment applications, the applicant shall provide proof of a meeting with all registered neighborhood associations within 200 feet of the subject property, or proof of an attempt to meet with all registered neighborhood associations within 200 feet with the application.](#)

- (b) **Recommended Procedures.**

(1) **Meetings.** The applicant may facilitate at least one (1) meeting with surrounding neighborhoods, before formally filing an application.

(2) **Target Area.** The target area shall include the following:

- A. Property owners within the public hearing notice area required by V.T.C.A. Local Government Code § 211.007(c)1;

### **Roll Call Vote:**

**AYES:** Dessouky, Sipes, Cohen, Farrimond, Liesman, Plagens, Brown, Hanley, Fullerton, Tapia, Estrada, Manna, Sherrill, Reid, Maldonado

**NAYS:** Peck, Teel, Wright, Tackett

### **MOTION CARRIED with a vote of 15 to 4.**

- 6 Discussion and possible action on UDC amendment item 20-18, affecting section 35-456: Certificate of Appropriateness for “D” Downtown Zoning District. (Logan Sparrow, Policy Administrator, 210-207-8691, UDCamendments@sanantonio.gov, Development Services Department).

Cory Edwards, OHP, applicant, stated the request is to update the language to Article 6.

### **No Public Comment**

## MOTION

A motion was made by Committee Member Maldonado and seconded by Committee Member Estrada to Approve as presented.

**A verbal vote was taken, and all voted in affirmative. Ms. Tackett was not present for the vote.**

## MOTION CARRIED

**Committee Member Tackett left the TAC meeting at 2:00 and returned at 2:04 pm.**

- 7 Discussion and possible action on UDC amendment item 27-44, affecting section 35-673: Site Design Standards. (Logan Sparrow, Policy Administrator, 210-207-8691, UDCamendments@sanantonio.gov, Development Services Department).

Sabrina Santiago, applicant, stated the request is to provide flexibility in the design for the LID component for RIO projects for offsite treatments.

## No Public Comment

## MOTION

A motion was made by Committee Member Hanley and seconded by Committee Member Maldonado to Approve as Amended.

This section focuses on the design concepts for an individual site and helps create a cohesive design that recognizes the unique opportunities of developing a site near the San Antonio River or San Pedro Creek. These include building placement, orientation and setbacks, and the design of the outdoor space.

- (c) **Topography and Drainage.** The natural contours of occasional hillsides and river or creek banks contribute to the distinct character of the San Antonio River and San Pedro Creek and shall be considered in site designs for new development. Site plans shall minimize the need for cut and fill. It should be considered as an opportunity for positive enhancements through the creative use of terraces and retaining walls. Sites abutting the creek must comply with subsection 35-673(c)(8) San Antonio River Authority Consultation.

- (8) **San Antonio River Authority Consultation.** Consultation with the San Antonio River Authority regarding direct access adjacent to the San Antonio River and San Pedro Creek within RIO-1, RIO-2, RIO-4, RIO-5, RIO-6, and RIO-7, landscaping and maintenance boundaries, and storm water control measures as required in Sections 35-672, 35-673, and 35-678, as applicable, is required prior to a submission for a certificate of appropriateness from the Office of Historic Preservation or plat approval, as applicable, to allow for review and comment by SARA for properties that fall within the RIO Overlay District as defined in UDC 35-338. This section shall apply to newly developed properties and redevelopment of properties.

- C. **Storm Water Management Directly Adjacent to the River or Creek.** Developments shall manage site storm water through Low Impact Development (LID) components consistent with section 35-210 of this chapter and shall also comply with the following:

- i. Storm water runoff shall pass to the river through discharge pipes or outfalls that are below water level or through an approved LID feature. Overland flow into the park is discouraged and shall be reviewed on a case-by-case basis. Modification of this subsection shall require approval by SARA and the director of Public Works transportation and capital improvements, or their designees.
- ii. Open concrete chutes shall be prohibited.
- iii. Runoff from pools or other non-storm water producing sources shall be treated prior to discharging into the river or creek.

- iv. Runoff from potentially acute sources of pollutants, such as dog parks, dumpster pads, or oil/grease containers shall be treated for total suspended solids (TSS) and for the pollutant source prior to discharging into the river or creek, or prior to discharging into an untreated storm drainage system that flows into the river or creek.
- v. Runoff from the developed site should generally be given preference for treatment. The director of Public Works or his designee may, on a case by case basis, approve treatment of offsite runoff instead of or in combination with onsite runoff. In this case, the design rainfall depth is increased by 10% for all offsite runoff. Offsite treatment must occur within the RIO district. Reference Section 35-210(q)(2) for LID performance standards. Runoff from potentially acute onsite sources of pollutants must be treated, per 35-673(c)(8)(C)(iv), even in cases where treatment of offsite runoff is allowed.

**A verbal vote was taken, and all voted in affirmative.**

## MOTION CARRIED

- 8 Discussion and possible action on UDC amendment item 5-26, affecting section 35-706:

Termination of Nonconforming Uses. (Logan Sparrow, Policy Administrator, 210-207-8691, UDCamendments@sanantonio.gov, Development Services Department).

Catherine Hernandez, Development Services, stated the request is to clarify nonconforming valuations regarding property value and the value of the improvements on the property.

### No Public Comment

### MOTION

A motion was made by Committee Member Maldonado and seconded by Committee Member Reid to Approve as Amended.

#### Amendment Language:

Termination of nonconforming rights under subsections (a) and (b) of this section shall provide for notice and hearing as provided in [section 35-406](#) of this chapter.

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(e) **By Destruction or Damage of Structure.** The right to operate and maintain any non-residential nonconforming use, ~~except a single-family dwelling unit~~, shall terminate and shall cease to exist whenever the structure or structures in which the nonconforming use is operated and maintained is damaged or destroyed from any cause whatsoever, and the cost of repairing such damage or destruction exceeds fifty (50) percent of the appraised value-replacement cost of such structure from a certified appraiser or county tax records on the date of such damage or destruction. A nonconforming residential single-family dwelling unit in which less than 50 percent of the building footprint which is destroyed or damaged ~~more than fifty (50) percent of the replacement cost appraised value~~ may be rebuilt provided a building permit is issued within one (1) year of the date of such damage or destruction. The director of planning and development services may require the submission of necessary evidence to verify the date of damage or destruction. Residential dwelling units include all single family and multi-family uses.

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**A verbal vote was taken, and all voted in affirmative. Committee Member Brown was not present for the vote.**

### MOTION CARRIED

- 9 Discussion and possible action on UDC amendment item 22-26, affecting section 35-802: City Council. (Logan Sparrow, Policy Administrator, 210-207-8691, UDCamendments@sanantonio.gov, Development Services Department).

Micah Diaz, Planning Department, stated the request is to clarify all the different types of plans; and to include sub-area and community plans.

### No Public Comment

### MOTION

A motion was made by Committee Member Hanley and seconded by Committee Member Maldonado to Approve as Amended.

The city council shall render final decisions pertaining to amendments to the master plan, any comprehensive plan, any neighborhood plan, any community plan, any perimeter plan, any sector plan, any sub-area plan, and this chapter, except where authority for a final decision is delegated to another agency by this chapter. The city council shall render final decisions pertaining to applications for development approval where such authority is assigned pursuant to this chapter. The city council shall have the following powers and duties:

# A verbal vote was taken, and all voted in affirmative. Committee Members Brown and Cohen were not present for the vote.

## MOTION CARRIED

- 10 Discussion and possible action on UDC amendment item 20-6, affecting section 35-803: Historic and Design Review Commission. (Logan Sparrow, Policy Administrator, 210-207-8691, UDCamendments@sanantonio.gov, Development Services Department).

Cory Edwards, OHP, stated the request is to expand the HDRC committee and add a new committee to supplement the commission meeting.

## No Public Comment

## MOTION

A motion was made by Committee Member Maldonado and seconded by Committee Member Tapia to Approve as presented.

### ARTICLE VIII - ADMINISTRATIVE AGENCIES

Sec. 35-803 - Historic and Design Review Commission.

- (a) ~~Established and Composition. The historic and design review commission is hereby established. The historic and design review commission shall consist of eleven (11) members and eleven (11) alternate members to be appointed by the mayor and city council. The mayor and city council shall each appoint one (1) member and one (1) alternate member to the commission. All members and alternate members must be residents of the City of San Antonio. Appointment. The historic and design review commission is hereby established. The historic and design review commission shall consist of eleven (11) members who reside in the City of San Antonio and are appointed by the city council.~~
- (b) ~~Duties and Functions. Members including alternate members. The commission shall serve to assist in an advisory capacity to the City of San Antonio directors of parks and recreation, planning and community development, development services, code enforcement services, public works, arts and cultural affairs, office of historic preservation and other appropriate heads of municipal departments. In accordance with Section 49 of the City Charter, and to the city manager. The commission shall have no authority to bind the City of San Antonio by contract or otherwise. The commission shall have the following duties and functions:~~
- ~~(1) To conduct an ongoing inventory to identify historically, culturally, architecturally, and archaeologically significant buildings, objects, sites, structures, public art and design enhancements, and areas that exemplify the cultural, social, economic, political, archaeological, or architectural history of the city, state, or nation;~~
  - ~~(2) To investigate and recommend to city council through the city zoning commission the designation of areas having special historic, cultural, architectural, or archaeological value as historic districts, and buildings, objects, sites, structures, or clusters having special historic, cultural, architectural, or archaeological value as exceptional or significant landmarks;~~
  - ~~(3) To hold public hearings and to review applications for construction, reconstruction, alteration, relocation, renovation, landscaping, or demolition affecting proposed or designated landmarks or buildings, objects, sites, signs, public art and design enhancements, or structures in the Riverwalk area, historic districts, and public property and rights-of-way and recommend issuance or denial of certificates of appropriateness for such actions;~~
  - ~~(4) To recommend specific design guidelines for the restoration, rehabilitation, alteration, construction, reconstruction, or relocation of landmarks, or buildings, objects, sites and structures within historic districts, in the Riverwalk area, on public property, or in the public right-of-way;~~
  - ~~(5) To recommend and adopt policy documents and guides that are in keeping with any formally adopted design guidelines or standards;~~
  - ~~(6) To recommend guidelines for signage, street furniture, appurtenances, advertising devices, landscaping, monuments and works of art for each historic district, each landmark, the Riverwalk area, and for public property and public rights-of-way;~~
  - ~~(6.7) To hold public hearings and to review applications for ad valorem tax exemption for residential and commercial buildings and structures which have historical significance and are in need of tax relief to encourage their preservation and rehabilitation; to certify the facts governing eligibility, along with the commission's recommendation, to the Bexar Appraisal District, for approval or disapproval~~

- ~~(7-8) To review and make recommendations concerning proposed tax increment districts and special assessment districts that would affect proposed or designated landmarks or historic districts;~~
- ~~(8-9) To testify through the chairman or vice chairman before all boards and commissions on any matter affecting historically, culturally, architecturally, or archaeologically exceptional, or significant areas, buildings, objects, sites, structures, clusters, historic districts, property located in the Riverwalk area, or public property;~~
- ~~(9-10) To review all proposed National Register nominations within the City of San Antonio upon recommendation of the city's historic preservation officer;~~
- ~~(10-11) To inform and educate the citizens of San Antonio concerning the historical, cultural, architectural, and archaeological heritage of the city;~~
- ~~(11-12) To recommend conferral of recognition upon the owners of landmarks or buildings, objects, sites or structures within historic districts by means of certificates, plaques, or markers;~~
- ~~(12-13) To review periodically the zoning ordinance of the City of San Antonio and to recommend any amendments appropriate for the preservation and protection of landmarks or buildings, objects, sites and structures within historic districts, in the Riverwalk area, on public property, or in the public right-of-way;~~
- ~~(13-14) To create committees of no more than four (4) persons from among its membership to meet at times other than regular commission meetings, to consider specified categories of applications; and to make recommendations to the full commission; and~~
- ~~(14-15) To prepare and submit annually to the city council a report summarizing the work of the commission during the previous calendar year which has been adopted by the commission.~~
- ~~(15-16) To hold public hearings and review and make recommendations on applications for new development or redevelopment on property zoned "D" Downtown Zoning District, in accordance with the Downtown Design Guide in Appendix G of this chapter (35-G101).~~
- (c) ~~Composition and Qualifications. In appointing members of the commission, the city council shall make appointments that are sensitive to the preservation and development goals of the city and will enable the city to retain compliance as a certified local government under the rules incorporating the provisions of the U.S. Historic Preservation Act of 1966, as amended, and Title 13, Texas Historic Commission, chapter 15, so that all members shall have a demonstrated "interest, competence, or knowledge in historic preservation."~~
- ~~(1) Preferences shall be given to the following disciplines or backgrounds: preservation related professions defined by the National Park Service (Architecture, History, Architectural History, Planning, Prehistoric and Historic Archaeology, Folklore, Cultural Anthropology, Curation, Conservation, and Landscape Architecture), real estate, economic development, law, and engineering. Composition shall be from three (3) categories of members from the following disciplines or backgrounds:~~
- ~~A— One (1) representative shall be selected from each of the following disciplines: architecture (licensed in the State of Texas), history, architectural history, archaeology, and planning. Memberships from these five (5) disciplines are required in order to achieve compliance with the U.S. Historic Preservation Act, as well as applicable Texas law.~~
- ~~B— One (1) representative from each of the following disciplines: landscape architecture (licensed in the State of Texas), and a professional in the field of public art or art history. Membership from these two (2) disciplines are required to provide design expertise related to the Riverwalk and public art.~~
- ~~C— Four (4) individuals in business/professional categories which shall include disciplines and backgrounds in real estate/commercial development, economic development, law, banking or accounting, or civil engineering and in a general category which shall include experience or background in urban design, visual arts, public art, neighborhood representation, or design enhancements, or who shall be a citizen-at-large.~~

**Members of the commission shall represent the general ethnic and gender makeup of the community. All board and commission members serve at the pleasure of the city council and may be removed from office at the discretion of the city council without cause, such removal to be evidenced by passage of an ordinance.**

- (2) **Appointment.** The mayor and city council will each appoint one (1) member of the commission to complete category representation.
- (3) **Terms of Office Members.** Commission members including alternate members ~~Members~~ are appointed for a term of office of two (2) years. The term of office for each board or commission member and alternate member will run concurrently with the terms of office of the city council that appoints each member. Any vacancy shall be filled for the remainder of the term by the city council.
- (3) **Attendance.** Any member of the commission who is absent from three consecutive regular meetings of the commission or whose attendance at regularly scheduled meetings falls below fifty percent on an annual basis from the appointment date may be removed from the commission and replaced by the alternate member without any further action by the City Council. Additionally, if member is absent from six or more regular meetings during a twelve-month period he or she may be removed from the Commission.
- (4) **Continuing Education.** Members, including alternates of the commission are expected to continue to demonstrate an interest in historic preservation through participation in meetings, workshops, and conferences related to historic preservation. Each commission member and alternate member shall attend a related educational event each year. The historic preservation officer will provide at least one training opportunity per year, which will satisfy this requirement. Each commission member and alternate member shall be thoroughly familiar with the Unified Development Code Article VI, the State Enabling Legislation, and the adopted historic district design guidelines.

- (d) **Election of Officers.** In January of each year, or the first available meeting thereafter, members of the commission shall elect a chair and vice chair from among its members. On the day of the election of officers, the chair shall turn the meeting over to the historic preservation officer who will accept nominations from the membership for chair and vice chair. Officers must receive a majority vote of the commission members. The term of office shall begin the day of the election. Should the chair or vice chair resign or not be reappointed prior to the end of the term of office, a special election shall be held at the next meeting after such vacancy to fill the position(s) for the remainder of the term. The chair and vice chair shall serve for a one-year term, but no person shall serve more than two consecutive city council appointed terms in the same office.

- (1) **Chair and Vice Chair.** The chair shall preside over all meetings of the commission. The vice chair shall preside in the absence or at the request of the chair. An additional presiding officer pro-tempore may be selected by the commission members to preside over meetings in the absence of both the chair and vice chair.
- (2) **Secretary.** The historic preservation officer or his or her representative shall act as secretary of the commission and shall attend and keep minutes of all meetings, acting in an advisory capacity and participating fully in commission discussions but having no right to vote. The minutes shall show pertinent facts presented during discussion, and the vote of each member on each decision of the Commission, or if absent or failing to vote, indicating that fact.

**Chairman and Vice Chairman.** Members of the commission shall elect a chairman and vice chairman from among those members who have served at least one (1) year as commission members. The chairman and vice chairman shall serve for a one-year term, but no person shall serve more than two (2) consecutive city council appointed terms in the same office. The chairman shall preside over all meetings of the commission. The vice chairman shall preside in the absence or at the request of the chairman. An additional presiding officer pro-temp may be selected by the commission members to preside over meetings in the absence of both the chairman and vice chairman.

- (8) **Final Decision.** All Certificates of Appropriateness shall be mailed to the applicant or his or her agent within 10 days of the date of the decision.

- (9) **Any question of order or procedure not covered by these rules shall be decided according to the latest edition of Robert's Rules of Order, insofar as they may be applicable.**

- (b) **Commission Committees.** Committees and subcommittees of the commission, which shall be approved by a majority vote of the commission. The chair may create task forces related to specific issues which do not need to be approved by the commission. The chair shall appoint members to committees, subcommittees, and task forces with the advice and consent of a majority vote of the commission.

- (1) **Membership of committees, subcommittees and task forces shall be established annually by vote of the commission. At least two members of the commission and two alternate members must be appointed to each committee, but in no event shall the membership number total a quorum of the commission or a quorum of the Compliance and Technical Advisory Board. At least two members or alternate members of the commission must be present to conduct business. A written report with comments shall be submitted back to the commission at the next scheduled meeting. Vacancies on the committees may be filled by appointment of the Chair until the next regularly scheduled commission meeting at which the committee appointments can be placed on the agenda for a vote by the commission.**
- (2) **All committees shall submit a committee report to the commission at its next regular meeting. A summary of committee comments and meeting notes shall be filed in the office of the city historic preservation officer and shall be a public record.**

- (3) **The following standing committees shall be established and shall meet as required by vote of the commission or at the request of the historic preservation officer or the chair.**

A. **Design Review Committee.** The Design Review Committee shall provide feedback to applicants prior to full submittal or shall consider items referred to its committees. The Design Review Committee will meet on a recurring basis as to be set by the Chair. It shall also hold on-site meetings when referred by the Commission.

B. **Designations and Demolitions Committee.** The Designations and Demolitions Committee shall work with staff to provide feedback on applications for demolition of a landmark, referred citywide demolitions, pending a finding of historic significance, pending historic district designation, and designation initiatives.

C. **Any other committees created in the future shall provide purpose and guidelines to the historic preservation officer and commission for review and approval.**

- (c) **Commission Compliance and Technical Advisory Board**

- (1) **Creation of the Compliance and Technical Advisory Board.** The Compliance and Technical Advisory Board (CTAB) is hereby created. CTAB shall consist of the (11) alternate members appointed by the mayor and city council. Members shall be residents of the City of San Antonio and may serve as an alternate member to the historic and design review commission for their council district.

- (2) **Duties and Functions.** Members shall serve to assist in an advisory capacity to the City of San Antonio, make site visits related to repair and replacement materials, evaluate compliance cases and post-work approvals, and review CHP policy documents and historic design guidelines. Additionally, members shall perform duties and functions described in 35-903(b).

- (e) **Commission Meetings.** Regular meetings shall be held at a regularly scheduled time with advance notice posted according to the Texas Open Meetings Act. Special meetings may be called by the chair or upon request by the historic preservation officer, when a matter requires urgent consideration. All meetings of the commission shall be open to the public and provide notice in accordance with the Texas Open Meetings Act.

- (1) **Quorum.** A quorum of the commission shall require six (6) members or alternate members present, except in the case to recommend/denigrate a property as a local historic landmark over owner objection, which shall be nine (9) members or alternate members. The affirmative votes of a majority of the members present is required for action, except in the case of an application for demolition which shall require a two-thirds (2/3) majority of the members present for a recommendation of approval, and in the case to designate a property as a local historic landmark where the property owner does not consent to designation, which shall require a three-fourths (3/4) vote of the commission to recommend approval of designation.

- (2) **Motions.** Any motion by a member shall require a second. After a motion has been made and duly seconded, discussion of the motion may be held for a reasonable time. Discussion shall terminate whenever a member shall call for a vote upon the question or whenever the chair shall so rule. Except when considering an application for demolition, landmark designation, or a question of procedure or qualification, when a motion to approve, deny, or approve with conditions fails to pass with the requisite number of votes, such outcome shall be deemed to be the approval of a motion to reconsider the question, and an automatic continuance to the next regularly scheduled meeting of the commission. If the commission has continued an item at two (2) consecutive meetings, such action shall be deemed to be a negative recommendation. This section shall apply only when an application has been heard and the chair calls for motions, and so long as no subsequent motions on the application are made.

- (3) **Procedures.** The commission shall conduct public hearings in accordance with Section 35-404 Public Hearings Procedures. Any person or persons may appear at a public hearing and submit evidence, either individually or as a representative. Each person who appears at a public hearing shall state, for the record, his or her name, address, and if appearing on behalf of an organization or group, the name and mailing address of the organization or group. Speaking times and order will be determined by the chair at the beginning of each meeting. The chair shall have the discretion to extend or limit the time of each speaker for due cause. The chair shall rule whenever any question of procedure or qualification may be raised at a commission meeting.

- (4) **Voting.** Voting on all matters may be by voice vote provided that a roll call vote shall be taken upon demand of any member.

- (5) **Press and Statements.** Releases and statements to the public and press in the name of the Commission shall be made only by the chair and must be made in accordance with the City of San Antonio's Communication Policy.

- (6) **Work/Study Session.** The commission may hold work or study sessions. These may be called by the chair, vice chair or the historic preservation officer by giving at least seventy-two hours written notice, or may be scheduled by a majority of the Commission at any previous meeting, provided that no deliberation or vote shall take place regarding the work or study session.

- (7) **Conflict of Interest.** No member of the commission shall vote or participate as a member in any matter that materially affects the property, income, or business interest of that member, or in which the member holds a substantial interest. Such member shall refrain from all discussions of the matter with other commissioners, not be present when the matter is considered, not vote on the matter, and file all required written recusal documents prior to consideration of the item.

- (3) **Terms of Office.** All members shall be appointed for a term of office of two (2) years. The term of office for each member will run concurrently with the terms of office of the city council that appoints each member.

- (4) **Composition and Qualifications.** The CTAB shall meet the composition and qualification requirements established for the HCRG in this section.

- (5) **Quorum.** A quorum of the Compliance and Technical Advisory Board shall consist of six (6) members. No final action shall be taken on any matter except pursuant to a majority vote of the members present.

- (6) **The Compliance and Technical Advisory Board will observe the following:**

- A. **CTAB shall conduct meetings once per month to evaluate compliance cases and requests to replace original architectural components such as doors, windows, and porches, and may recommend approval or denial of COA requests. Additional special meetings may be called by the chair or by the historic preservation officer when a matter requires urgent consideration. All meetings shall be open to the public in accordance with the Texas Open Meetings Act. Meeting minutes shall be filed in the office of the city historic preservation officer and shall be a public record. The minutes shall show pertinent facts presented during discussion, and the vote of each member on each decision of the Commission or if absent or failing to vote, indicating that fact.**
- B. **The CTAB membership shall elect a chair and vice from its own membership who shall serve for a one-year term, but no person shall serve as chairman for more than two (2) consecutive terms. On the day of the election of officers, the chair shall turn the meeting over to historic preservation officer, who will accept nominations from the membership for chair and vice chair. Officers must receive a majority vote of the CTAB. The term of office shall begin the day of the election. An additional presiding officer pro-tempore may be selected by the membership to preside over meetings in place of the chair and vice-chair.**
- C. **The CTAB shall follow all other procedures as established for the Commission.**

**Election of Officers.** Election of commission officers shall occur in January of each year. On the day of the election of officers, the chairman shall turn the meeting over to the historic preservation officer who will accept nominations from the membership for chairman and vice chairman. Officers must receive a majority vote of the commission members. The term of office shall begin the day of the election. Should the chair or vice chair resign or not be reappointed prior to the end of the term of office, a special election shall be held at the next meeting after such vacancy to fill the position(s) for the remainder of the term.

- (f) **Secretary.** The historic preservation officer or his or her representative shall act as secretary of the commission and shall attend and keep minutes of all meetings, acting in an advisory capacity and participating fully in commission discussions but having no right to vote.

- (g) **Meetings of the Commission.** The commission shall hold each regular meeting on the basis of not less than once each month, and more frequently if necessary, at a regularly scheduled time with advance notice posted according to the Texas Open Meetings Act. Additional special meetings may be called by the chairman or upon written request to the historic preservation officer signed by a majority of the members, when a matter requires urgent consideration of the commission. All meetings of the commission shall be open to the public in accordance with the Texas Open Meetings Act. The place, day and/or hour of meetings may be changed by vote of the commission at any regular meeting. Notice of such action shall be provided in accordance with the Texas Open Meetings Act. Minutes of the commission's proceedings showing the vote shall be filed in the office of the city historic preservation officer and shall be a public record.

- (h) ~~Meeting Procedures. The commission shall observe the following procedures:~~
- (1) ~~Any motion by a member shall require a second. After a motion has been made and duly seconded, discussion of the motion may be held for a reasonable time. Discussion by members or by opponents or proponents of a question before the commission shall terminate whenever a member shall call for a vote upon the question or whenever the chairman shall so rule.~~
  - (2) ~~Whenever any question of procedure or qualification may be raised at a commission meeting, the chairman shall rule thereon. A member may move to overrule the chairman's decision which may be done by a majority vote of the members present.~~
  - (3) ~~Voting on all matters may be by voice vote provided that a roll call vote shall be taken upon demand of any member.~~
  - (4) ~~Release and statements to the public and press in the name of the commission shall be made only by the presiding officer and in accordance with the Texas Open Records Act.~~
  - (5) ~~Any question of order or procedure not covered by these rules shall be decided according to the latest edition of Roberts Rules of Order, insofar as they may be applicable.~~
- (i) ~~Meetings of Commission Committees. All decisions of committees shall be submitted to the commission at its next regular meeting. Any applicant who is dissatisfied with a recommendation by a committee shall have the right to appeal to the full commission at its next regularly scheduled meeting. Minutes of committee proceedings showing the vote shall be filed in the office of the city historic preservation officer and shall be a public record.~~
- (j) ~~Quorum.~~
- (1) ~~A quorum of the commission shall require six (6) members present. The affirmative votes of a majority of the members present is required for action, except in the case of an application for demolition which shall require a two-thirds (2/3) majority of the members present for a recommendation of approval.~~
  - (2) ~~Except when considering an application for demolition or a question of procedure or qualification, when a motion to approve, deny, or approve with conditions fails to pass with the requisite number of five votes, such outcome shall be deemed to be the approval of a motion to reconsider the question and an automatic continuance to the next regularly scheduled meeting of the commission. If the commission has continued an item at two (2) consecutive meetings, such action, at the option of the applicant, shall be deemed to be a negative recommendation.~~
  - (3) ~~Subpart (2) shall apply only when an application has been heard and the chair calls for motions, and so long as no subsequent motions on the application are made.~~
  - (4) ~~Conflicts of Interest. No member of the commission shall vote or participate as a member in any matter that materially affects the property, income, or business interest of that member or in which the member holds a substantial interest. Such member shall refrain from all discussions of the matter with other commissioners, not be present when the matter is considered, not vote on the matter, and file all required written recusal documents prior to consideration of the item.~~

(Ord. No. 98697 §§ 1 and 6) (Ord. No. 2007-05-30-0593, § 2, 5-30-07)(Ord. No. 2009-01-15-0001, § 2, 1-15-09) (Ord. No. 2010-06-24-0616, § 2, 6-24-10) (Ord. No. 2010-11-18-0985, § 2, 11-18-10) (Ord. No. 2014-04-03-0206, § 6, 4-3-14)(Ord. No. [2015-12-17-1077](#), § 2, 12-17-15)

## A verbal vote was taken, and all voted in affirmative.

- 11 Discussion and possible action on UDC amendment item 20-15, affecting section 35-A101: Definition of Rules and Interpretation. (Logan Sparrow, Policy Administrator, 210-207-8691, UDCamendments@sanantonio.gov, Development Services Department).

Cory Edwards, OHP stated the request is to clarify and clean up multiple definitions in Appendix A.

## No Public Comment

## MOTION

A motion was made by Committee Member Maldonado and seconded by Committee Member Tapia to Approve as Amended.

Amendment Title – Sec. 35-A101. – Definition of Rules and Interpretation.

Amendment Language:

### APPENDIX A - DEFINITIONS AND RULES OF INTERPRETATION

- (a) Generally, words, phrases and terms defined in this appendix shall be given the defined meaning as set forth below.

\*\*\*\*

**Architectural style.** Useful tools for analyzing general types of historic resources that tend to be related to the building's era of construction and popular regional trends. See the architectural styles section of A Guide to San Antonio's Historic Resources, in *City of San Antonio's Historic Design Guidelines*.

\*\*\*\*

**Designated resource.** A building, object, site, or structure which has been designated "historic" by city council upon recommendation of the historic and design review commission through the zoning commission, following criteria set forth in Article III and Article VI of this chapter and zoned historic and subject to review under the provisions of this chapter.

\*\*\*\*

**Contributing.** See **Contributing resource**. See **Contributing property**.

**Contributing building.** See **Contributing resource**. See **Contributing property**.

**Contributing property.** See **Contributing resource**. A resource in a historic district or cluster that contributes to the district's or cluster's historical significance through location, design, setting, materials, workmanship, feeling and association, and which shall be afforded the same considerations as landmarks; a building, site, structure, or object within a historic district that adds to the values or qualities of that district because it was present during the period of significance and possesses historical integrity, or it independently meets National Register of Historic Places criteria.

**Contributing resource – Buildings, structures, objects, sites, features, or other physical elements that are located within a historic district that have not been determined by either DHP staff or the HDRC to be non-contributing to the district.**

\*\*\*\*

**Eligible resource.** A building, object, site, or structure which has been determined by the historic preservation officer or the historic and design review commission to meet the designation criteria for historic districts and landmarks set forth in article VI of this chapter.

**Exceptional historic landmark.** Prior to 2010, historic landmarks were categorized as either "historic exceptional" (HE) or "historic significant" (HS). See **Designated resource**.

- (1) These buildings, objects, sites, or structures of the highest and most unique historical, cultural, architectural or archaeological importance and whose demolition or destruction would constitute an irreparable loss to the quality and character of San Antonio, and
- (2) Those interior spaces designed or intended to be occupied as part of the structure or which are accessible to the public.

\*\*\*\*

**Historically significant site in need of tax relief to encourage preservation.** A building, site, or structure together with the land necessary for access and use which is determined by the historic and design review commission to be in substantial need of rehabilitation or restoration and is one (1) or more of the following:

- (a) Designated a National Historic Landmark;
- (b) Listed on the National Register of Historic Places; or
- (c) Located in a National Register Historic District and certified by the Secretary of Interior as being of historic significance to the district; or
- (d) Designated as a Recorded Texas Historic Landmark by the Texas Historical Commission; or
- (e) Designated a State Archeological Landmark; or
- (f) Designated as a landmark by the city as provided in this chapter; or
- (g) A contributing property located in a historic district located in a historic district designated by the city and certified by the historic and design review commission as being of historic significance to the district.

**Historic district.** See **Designated resource**. An area, urban or rural, defined as a historic district by city council, state, or federal authority and which may contain within definable geographic boundaries two (2) or more buildings, objects, sites, or structures designated as exceptional or significant historic landmarks or clusters, as defined herein, including their accessory buildings, fences and other appurtenances, and natural resources having historical, architectural, archaeological, and cultural significance, and which may have within its boundaries other buildings, objects, sites, or structures, that, while not of such historical, architectural, archaeological or cultural significance as to be designated landmarks, nevertheless contribute to the overall visual setting or characteristics of the landmark or landmarks located within the district.

**Historic.** Any building, object, site, or structure that is:

- (a) Listed individually in the National Register of Historic Places (a listing maintained by the Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;
- (b) Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;
- (c) Individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of Interior; or
- (d) Individually listed on a local inventory or historic places in communities with historic preservation programs that have been certified either:
  1. By an approved state program as determined by the Secretary of the Interior; or
  2. Directly by the Secretary of the Interior in states without approved programs.

[Historic landmark. See designated resource.](#)

[Historic structure. See designated resource.](#)

\*\*\*\*

**Intrusion. See Non-contributing Resource.** A building, object, site or structure which detracts from the historical significance of a district or cluster because of its incompatibility with the sense of time and place and historical development of a district or cluster, or its incompatibility of scale, materials, texture, or color, or whose integrity has been irrevocably lost; or whose physical deterioration or damage makes it infeasible to rehabilitate.

\*\*\*\*

**Non-contributing Resource.** Buildings, structures, objects, sites, features, or other physical elements that are located within a historic district that have been determined as such by application to OHP staff or the HDCR (see UDC 35-519). Non-contributing buildings or resources are generally considered intrusions to a historic district and may include recent or non-compatible construction types and forms. A building, object, site or structure which neither adds to nor detracts from a sense of time and place or historical development of a district or cluster; a building, site, structure, or object within an historic district that does not add to the values or qualities of that district because it was not present during the period of significance or because it no longer retains integrity.

\*\*\*\*

**Not-rated resource.** A building, object, site or structure which has been inventoried and reviewed by the historic and design review commission but not rated due to lack of age following criteria set forth in this chapter.

\*\*\*\*

**Not significant resource.** A building, object, site or structure older than twenty-five (25) years old which has been inventoried and reviewed by the historic and design review commission using criteria set forth in this chapter, but which lacks sufficient historical, architectural, cultural, or archaeological significance to be recommended for landmark status based on available evidence.

\*\*\*\*

**Rated resource.** A building, object, site, or structure which has been inventoried and reviewed by the historic and design review commission using criteria set forth in this chapter, and listed as either exceptional, significant, not significant, or not rated.

\*\*\*\*

**Significant historic landmarks.** Prior to 2010, historic landmarks were categorized as either "historic exceptional" (HE) or "historic significant" (HS). See designated resource.

(1) Those buildings, objects, sites or structures of historical, cultural, architectural or archaeological importance whose demolition or destruction would constitute a serious loss to the quality and character of San Antonio; and

(2) inventoried interior spaces designed or intended to be occupied as part of the structure or which are accessible to the public.

Unusual and compelling circumstances. Those uncommon and extremely rare instances, factually detailed, which would warrant a [Historic](#) ~~historic~~ and Design Review Commission recommendation due to the evidence presented.

\*\*\*\*

**A verbal vote was taken, and all voted in affirmative.**

**MOTION CARRIED**

- 12 Discussion and possible action on UDC amendment item 2-4, affecting section 35-A101: Definitions and Rules of Interpretation. (Logan Sparrow, Policy Administrator, 210-207-8691, UDCamendments@sanantonio.gov, Development Services Department).

Dana Nichols, SAWS, stated the request is to update the definition reference section for Chapter 34 in Chapter 35.

**No Public Comment**

**MOTION**

A motion was made by Committee Member Tackett and seconded by Committee Member Maldonado for Denial.

**Amendment Language:**

**Sec. 35-A101. - Definitions and Rules of Interpretation.**

[Section to include by reference to Chapter 35 Section 35-510 Statement of Purpose to ease the ability of the development community to find applicable City of San Antonio ordinances located in Chapter 34 Article IV.](#)

[Ch 34. Art. IV. Div. 1 Sec 34-275 \(1\)-\(8\)](#)

**A verbal vote was taken, and all voted in affirmative.**

**MOTION CARRIED FOR DENIAL**

- 13 Discussion and possible action on UDC amendment item 5-38, affecting section 35-A101: Definitions and Rules of Interpretation. (Logan Sparrow, Policy Administrator, 210-207-8691, UDCamendments@sanantonio.gov, Development Services Department).

Michael Uresti, Development Services, stated the request is to add language for pervious pavement.

Stephen Stokinger, Development Services, answered the committee member's questions.

### **No Public Comment**

### **MOTION**

A motion was made by Committee Member Tackett and seconded by Committee Member Maldonado to Approve as presented.

#### **Amendment Language:**

All weather surface (parking and vehicular access). Vehicular "all weather surfaces" shall constitute: poured concrete on prepared subgrade; hot laid asphalt on a prepared base course; single, double, or triple asphalt surface treatment (consisting of applications of asphaltic material, each covered with aggregate) on a prepared base course, or types of pervious pavement approved by the development services department. Brick/concrete block/tile/flagstone set in mortar or on a prepared base course. The director of planning and development services shall determine if other materials may fit within this category of surface; however, in no case shall a material be considered a "all weather surface" if such surfaces generates or produces any dust or particulate matter that could be airborne to adjacent properties such as occurs with compacted base materials.

**A verbal vote was taken, and all voted in affirmative.**

### **MOTION CARRIED**

- 14 Discussion and possible action on UDC amendment item 5-25, affecting section 35-A101: Definitions and Rules of Interpretation. (Logan Sparrow, Policy Administrator, 210-207-8691, UDCamendments@sanantonio.gov, Development Services Department).

Catherine Hernandez, Development Services, stated the request is to replace and update the various definitions for childcare institutions on the residential use matrix with 2 simple ones defined by age.

### **No Public Comment**

### **MOTION**

A motion was made by Committee Member Maldonado and seconded by Committee Member Sherrill to Approve as presented.

Child Care Facility: A facility that provides care, training, education, custody, treatment, or supervision for a child who is not related by blood, marriage, or adoption to the owner or operator of the facility, but which occurs within the operators own home for all or part of the twenty-four-hour day, whether or not the facility is operated for profit or charges for the services it offers.

**Child Care Institution (Basic):** A child care facility licensed by the Texas Department of Human Services which provides care for more than twelve (12) children for twenty-four (24) hours a day. A basic child care institution does not include a twenty-four-hour-a-day program offered by a specialized child care institution.

**Child care institution (specialized):** A child care facility licensed by the Texas Department of Human services which provides specialized care for more than twelve (12) children for twenty-four (24) hours a day. Specialized child care institutions include residential treatment centers, emergency shelters, halfway houses, therapeutic camps, and institutions serving mentally retarded children as classified and regulated by the Texas Department of Human services.

TABLE 311-1-1 RESIDENTIAL USE MATRIX																						
PERMITTED USE	FP	RE	R-20	NP-15	NP-10	NP-8	R-6	RM-6	R-5	RM-5	R-4	RM-4	R-3, R-2, R-1	MF-18	MF-25	MF-33	MF-40	MF-50 & MF-65	ER2D	LCBS FUNCTION	LCBS STRUCTURE	
Childcare Daycare Center	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	R	0562	
Child Care, Licensed Child Care	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	R	0562	

Child Care--Registered Child Care Home	S	R	R	R	R	R	R	R	R	S	S	S	S	S	S	S	S	S	S	R	0562	
Child Care Institution (Basic)	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	R	0561	
Child Care Facility (1-6 Children)	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	0502	
Child Care Facility (7-12 Children)	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	0502	

**A verbal vote was taken, and all voted in affirmative.**

**MOTION CARRIED**

**Chair Peck stated item # 15 Amendment 18-2 will be heard at the end of the agenda.**

- 16 Discussion and possible action on UDC amendment item 5-29, affecting section 35-A101: Definitions and Rules of Interpretation. (Logan Sparrow, Policy Administrator, 210-207-8691, UDCamendments@sanantonio.gov, Development Services Department).

Catherine Hernandez, Development Services, stated the request is to clarify uses for entertainment venues for indoor/outdoor use.

**No Public Comment**

**MOTION**

A motion was made by Committee Member Maldonado and seconded by Committee Member Wright to Approve as presented.

**Amendment Language:**

Entertainment venue (indoor). Any building, structure, or portion thereof, that includes activities for amusement. These include, but are not limited to: haunted house attractions, bounce house attractions, laser tag, miniature golf, skating rinks, and skateboard tracks. Uses in this category shall be contained entirely within a building or structure. This use does not include outdoor venues such as but not limited to theme parks, go-cart tracks, carnivals/circuses, theaters, and performing arts venues.

\*\*\*\*\*

**A verbal vote was taken, and all voted in affirmative.**

**MOTION CARRIED**

- 17 Discussion and possible action on UDC amendment item 10-5, affecting section 35-A101: Definitions and Rules of Interpretation. (Logan Sparrow, Policy Administrator, 210-207-8691, UDCamendments@sanantonio.gov, Development Services Department).

Catherine Hernandez, Development Services, stated the request is to make “Special Districts” consistent with the land use category.

**No Public Comment**

**MOTION**

A motion was made by Committee Member Maldonado and seconded by Committee Member Wright to Approve as Amended.

Comprehensive land use category. Land use categories designated in the comprehensive/master planning process. The following shall be the designated comprehensive land use categories for elements of the comprehensive plan. Additionally, special districts, as defined in Article III, Division 5, shall be considered consistent with a designated land use category, provided that the permitted uses included in the request and/or site plan, are consistent with the uses and densities of the land use category.

**A verbal vote was taken, and all voted in affirmative.**

**MOTION CARRIED**

- 18 Discussion and possible action on UDC amendment item 6-7, affecting section 35-A101: Definitions and Rules of Interpretation. (Logan Sparrow, Policy Administrator, 210-207-8691, UDCamendments@sanantonio.gov, Development Services Department).

Leslie Provence, Food Policy Council, stated the request is to clarify and update the uses for various definitions.

**No Public Comment**

**MOTION**

A motion was made by Committee Member Maldonado and seconded by Committee Member Tapia to Approve as Amended.

Civic uses. Any of the following uses, as defined in the use matrix, which uses are hereby found to provide focal points for community interaction and foster citizen participation in civic activities:

- Churches, temples, synagogues, mosques, and other religious facilities.
- Clubs or lodges
- College or university facilities
- [Community Gardens](#)
- Day care centers
- Exhibitions and art galleries
- Grade schools
- Library buildings
- Meeting halls or clubhouses
- Movie theaters
- Museum, exhibition, or similar facilities
- Performance theaters
- Postal
- Public administration
- School or university buildings
- Trade or specialty school facilities

\*\*\*

[Urban Farms](#)

\*\*\*

[High Tunnel. See Hoophouse.](#)

\*\*\*

[Hoophouse. A temporary structure constructed of translucent material and supported on metal or plastic pipe, which is devoted to the protection or cultivation of flowers or other tender plants. Also called High Tunnel.](#)

\*\*\*

[Produce. Fresh fruits and/or vegetables, honey, eggs, nuts, and other agricultural products.](#)

\*\*\*

Residential market garden. A garden at one's residence that grows produce incidental to a residential use. Excess produce may be sold on site or elsewhere. [In order to maintain residential character, sales of produce shall be so conducted as to not be visible from any public street or walk. Sales on the property must be conducted out of sight of the general public.](#)

\*\*\*

[Soil organic matter \(SOM\). The organic component of soil, consisting of three primary parts including small \(fresh\) plant residues and small living soil organisms, decomposing \(active\) organic matter, and stable organic matter \(humus\). Soil organic matter serves as a reservoir of nutrients for crops, trees, shrubs, and vegetation, and provides soil aggregation, increases nutrient exchange, retains moisture, reduces compaction, reduces surface crusting, and increases water infiltration into soil. \(Sources: NRCS\)](#)

\*\*\*

[Truck farm. A small tract of land \(less than ten \(10\) acres\) on which produce is raised and sold by the owner on-site or at off-site markets.](#)

\*\*\*

[Urban farm. A tract of land within city limits, not at one's own residence, on which produce is raised and sold on site or elsewhere. This can include farming and/or greenhouses and/or hoophouses on vacant lots or acreage. Composting of vegetative materials produced on the farm or elsewhere is allowed, as long as it is covered by dry material to prevent nuisance conditions. A farmstand or market may be located on the site. In addition to holding a market, an urban farm may host educational events and/or serve as an event venue, provided that sufficient off-street parking is provided.](#)

**A verbal vote was taken, and all voted in affirmative.**

**MOTION CARRIED**

- 19 Discussion and possible action on UDC amendment item 5-32, affecting section 35-A101: Definitions and Rules of Interpretation. (Logan Sparrow, Policy Administrator, 210-207-8691, UDCamendments@sanantonio.gov, Development Services Department).

Catherine Hernandez, Development Services, stated the request is add the definition for funeral homes in the definition section.

**No Public Comment**

**MOTION**

A motion was made by Committee Member Maldonado and seconded by Committee Member Sherrill to Approve as presented.

[Funeral home service\(s\) means those services provided by a funeral home establishment including but not limited to: directing funeral services; coordination of traditional burial or entombment; bereavement counseling; selection and supply of casket or urn; transportation services; filing of legal documents; selection, planning, and coordination of ceremonies; flower arrangements; providing of facilities for funerals and wakes; and short term storage of the dead. A funeral home may also provide cremation services and/or embalming services auxiliary to the services listed above. In such cases a single certificate of occupancy shall be required for all uses.](#)

\*\*\*\*\*

Amendment Title – 'Sec. 35-396. –Funeral Homes.'

Amendment Language:

- a) Purpose: The purpose of this section is to regulate funeral home establishments within the city. Such establishments are permitted as designated in the Use Matrix (section 3-311, Tables 311-1 and 311-2.)
- b) License and Registration. All funeral homes must be properly licensed as determined by the Texas Funeral Service Commission.
- c) ~~Definitions—Definitions that appear below apply only to this division and shall prevail if in conflict with the definitions found elsewhere within this chapter.~~

~~[Funeral home service\(s\) means those services provided by a funeral home establishment including but not limited to: directing funeral services; coordination of traditional burial or entombment; bereavement counseling; selection and supply of casket or urn; transportation services; filing of legal documents; selection, planning, and coordination of ceremonies; flower arrangements; providing of facilities for funerals and wakes; and short term storage of the dead. A funeral home may also provide cremation services and/or embalming services auxiliary to the services listed above. In such cases a single certificate of occupancy shall be required for all uses.](#)~~

\*\*\*\*\*

**A verbal vote was taken, and all voted in affirmative.**

**MOTION CARRIED**

- 20 Discussion and possible action on UDC amendment item 5-34, affecting section 35-A101: Definitions and Rules of Interpretation. (Logan Sparrow, Policy Administrator, 210-207-8691, UDCamendments@sanantonio.gov, Development Services Department).

Catherine Hernandez, Development Services, stated the request is to add and define habitable space in the code.

**No Public Comment**

**MOTION**

A motion was made by Committee Member Maldonado and seconded by Committee Member Hanley to Approve as presented.

**Amendment Title – ‘Sec. 35-A101.- Definitions and Rules of Interpretation’**

**Amendment Language:**

Habitable space/area. A space in a building for living, sleeping, eating or cooking. Bathrooms, toilet rooms, closets, halls or utility spaces and similar areas are not considered habitable spaces.

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**A verbal vote was taken, and all voted in affirmative.**

**MOTION CARRIED**

- 21 Discussion and possible action on UDC amendment item 16-5, affecting section 35-A101: Definitions and Rules of Interpretation. (Logan Sparrow, Policy Administrator, 210-207-8691, UDCamendments@sanantonio.gov, Development Services Department).

Ray Morales, applicant, stated the request is to clarify the definition for story height.

**No Public Comment**

**MOTION**

A motion was made by Committee Member Maldonado and seconded by Committee Member Reid to Approve as Amended.

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Half story. An uppermost story containing space completely within a sloping roof (between a three in twelve slope and a twelve in twelve slope) springing from the top plate of the story below and broken only by dormers of total (sum) width less than 25% of the horizontal length of the facade which the dormers face, in which a sloping roof replaces two opposing exterior walls, or a flat roof where the half story is setback 20% of the depth from all opposing walls. Total floor area on the uppermost story shall not exceed a floor area derived by multiplying the floor area of the story directly below by fifty (50) percent. Open decks, or porches, are not allowed. A basement as defined in the International Building Code or International Residential Code shall not be included in the maximum number of stories in Table 310-1

**A verbal vote was taken, and all voted in affirmative.**

**MOTION CARRIED**

- 22 Discussion and possible action on UDC amendment item 5-44, affecting section 35-A101: Definitions and Rules of Interpretation. (Logan Sparrow, Policy Administrator, 210-207-8691, UDCamendments@sanantonio.gov, Development Services Department).

Logan Sparrow, Development Services, stated the request is to define mobile retail establishments.

**No Public Comment**

**MOTION**

A motion was made by Committee Member Wright and seconded by Committee Member Maldonado to Approve as presented.

**Amendment Title –‘35-A101. - Definitions and Rules of Interpretation.’**

**Amendment Language:**

Mobile retail establishment means selling goods or merchandise from a self-contained unit, either motorized or in a trailer on wheels to the general public for personal or household consumption and rendering services incidental to the sale of such goods.

**A verbal vote was taken, and all voted in affirmative.**

**MOTION CARRIED**

- 23 Discussion and possible action on UDC amendment item 16-13, affecting section 35-A101: Definitions and Rules of Interpretation. (Logan Sparrow, Policy Administrator, 210-207-8691, UDCamendments@sanantonio.gov, Development Services Department).

Cynthia Spielman, applicant, stated the request is to clarify terminology for Neighborhood Conservation District Design Standards.

**No Public Comment**

**MOTION**

A motion was made by Committee Member Maldonado and seconded by Committee Member Reid to Approve as presented.

(b) **Definitions.** Words with specific defined meanings are as follows:

One-over-one light division window. A window with a primary horizontal division separating upper and lower sashes, or lights. The division shall be by a true meeting rail, or true muntin, meaning a through-glass dividing member separating the upper and lower lights, or panes of glass.

\*\*\*\*\*

**A verbal vote was taken, and all voted in affirmative, except Committee Member Hanley who voted in opposition.**

**MOTION CARRIED**

- 24 Discussion and possible action on UDC amendment item 5-57, affecting section 35-A101: Definitions and Rules of Interpretation. (Logan Sparrow, Policy Administrator, 210-207-8691, UDCamendments@sanantonio.gov, Development Services Department).

Catherine Hernandez, Development Services, stated the request is to add the definition of Permanent Supportive Housing.

**No Public Comment**

**MOTION**

A motion was made by Committee Member Maldonado and seconded by Committee Member Manna to Approve as Amended.

Amendment Language:

Permanent Supportive Housing is a combination of housing and services designed for people with serious mental illnesses or other disabilities who need support to live stably in their communities. These services can include case management, substance abuse or mental health counseling, advocacy, and assistance in locating and maintaining employment. Residential units must meet Dwelling – Unit as defined in this chapter.

Amendment Title – ‘Sec. 35-311. –Use Regulations.’

Amendment Language:

TABLE 311-1 RESIDENTIAL USE MATRIX																				
PERMITTED USE	RP	RE	R-20	NP-15	NP-10	NP-8	R-6	RM-6	R-5	RM-5	R-4	RM-4	R-3, R-2, R-1	MF-18	MF-25	MF-33	MF-40	MF-50	ERZD	LBCS FUNCTION
<u>Permanent Supportive Housing</u>								IS		IS		IS		P	P	P	P	P	P	

**A verbal vote was taken, and all voted in affirmative.**

**MOTION CARRIED**

- 25 Discussion and possible action on UDC amendment item 5-9, affecting section 35-A101: Definitions and Rules of Interpretation. (Logan Sparrow, Policy Administrator, 210-207-8691, UDCamendments@sanantonio.gov, Development Services Department).

Rachel Holder, Development Services, stated the request is to clarify the definition for Porch.

**No Public Comment**

## MOTION

A motion was made by Committee Member Wright and seconded by Committee Member Brown to Approve as presented.

### Amendment Language:

Porch A roofed area, which may be glazed or screened but unconditioned, attached to or part of and with direct access to or from a structure ~~and usually located on the front or side of the structure~~; a covered entrance or semi-enclosed space projecting from the facade of a building; may be open sided, screened, or glass enclosed.

**A verbal vote was taken, and all voted in affirmative.**

## MOTION CARRIED

- 26 Discussion and possible action on UDC amendment item 5-8, affecting section 35-A101: Definitions and Rules of Interpretation. (Logan Sparrow, Policy Administrator, 210-207-8691, UDCamendments@sanantonio.gov, Development Services Department).

Rachel Holder, Development Services, stated the request is to clarify the dwelling for a triplex and a quadplex.

**No Public Comment**

## MOTION

A motion was made by Committee Member Sherrill and seconded by Committee Member Plagens to Approve as presented.

**Amendment Title** – 'Definitions and Rules of Interpretation.'

### Amendment Language:

Dwelling, four-family (quadraplex). A detached structure (on a platted single lot) ~~house~~ with common walls or common floor/ceiling between the units, designed for and occupied exclusively as the residence of not more than four (4) families, each living as an independent housekeeping unit.

Dwelling, three-family (triplex). A detached structure-house (on a platted single lot) with common walls or common floor/ceiling between the units, designed for and occupied exclusively as the residence of not more than three (3) families, each living as an independent housekeeping unit.

**A verbal vote was taken, and all voted in affirmative.**

## MOTION CARRIED

- 15 Discussion and possible action on UDC amendment item 18-2, affecting section 35-A101: Definitions and Rules of Interpretation. (Logan Sparrow, Policy Administrator, 210-207-8691, UDCamendments@sanantonio.gov, Development Services Department).

Doug Melnick, Office of Sustainability, stated the request is to add language for 3 definitions: Embodied carbon, Environmental Product Declaration, and Low carbon materials.

## No Public Comment

### MOTION

A motion was made by Committee Member Maldonado and seconded by Committee Member Reid to Approve as presented.

**Amendment Language:**

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Embodied carbon. Carbon emissions associated with materials and construction processes throughout the whole lifecycle of a building or infrastructure. Embodied carbon includes: material extraction, transport to manufacturer, manufacturing, transport to site, construction, use phase, maintenance, repair, replacement, refurbishment, deconstruction, transport to end of life facilities, processing, and disposal.

Environmental Product Declaration (EPD). A report that summarizes the life cycle of a product in a single, comprehensive report. An EPD provides information about a product's impact on the environment, such as global warming potential, smog creation, ozone depletion and water pollution. It can also include other product impacts, such as land use changes, potential toxicity risks or corporate environmental initiatives that are of particular interest to the discloser.

Low carbon materials. Low-carbon building and construction materials have both low embodied energy and carbon in their production, assembly, and transportation processes. A low carbon material will also have a low Global Warming Potential (GWP) score on its EPD.

\*\*\*\*\*

**A verbal vote was taken, and all voted in affirmative.**

### MOTION CARRIED

28 Directors Report: Update on UDC Amendment Process

There being no further business, the meeting was adjourned at 3:35 pm

### ADJOURNMENT

APPROVED

George Peck, Chairman

ATTEST:

Logan Sparrow, Executive Secretary